

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

EDWARD MARTINS

Petitioner,

ORDER

v.

07-cv-683-bbc

FEDERAL BUREAU OF PRISONS,

Respondent.

In an order dated April 2, 2008, I preliminarily enjoined defendant Federal Bureau of Prisons from relying on 28 C.F.R. §§ 570.20 and 570.21 in determining plaintiff Edward Martins eligibility for a transfer to a halfway house. I gave defendant until April 17 to show cause why a permanent injunction should not be issued, explaining that if defendant did not respond by April 17, I would enter judgment in favor of plaintiff and direct the clerk of court to close this case.

Defendant has not responded to the April 2 order. Accordingly, IT IS ORDERED that defendant Federal Bureau of Prisons is PERMANENTLY ENJOINED from relying on 28 C.F.R. §§ 570.20 and 570.21 in determining plaintiff's eligibility for transfer to a halfway house. Instead, defendant must determine plaintiff's eligibility using the factors listed in 18

U.S.C. § 3621(b). The clerk of court is directed to enter judgment in favor of plaintiff and close this case.

Entered this 22nd day of April, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge